detecting specific binding between cells of the patient and the L106 antibody, wherein the detection of specific binding is indicative of the presence of activated $CD4^+$ T-cells in the patient.

77. The method of 76, wherein the presence of activated $CD4^+$ T-cells is diagnostic of a disease or condition of the immune system.

Remarks

Claims 1-25, 28-30, 32, 34, and 36-58 have been cancelled, claims 26, 27 and 31 have been amended, and new claims 59-77 have been added. Support for new claims 59-77 may be found in the specification, for example at page 23, line 31 through page 30, line 22, and page 34, line 28 through page 36, line 15, and in the original claims. No new matter enters by this amendment. The application presently contains claims 26, 27, 31, 33, 35, and 59-77. The Sequence Listing has been formatted to comply with current 37 C.F.R. § 1.821 et seq., and a typographical error (the total number of bases in SEQ ID NO: 1) has been corrected. No new matter enters by this amendment.

The specification has been amended to update cross-reference to related application information, and to specify that the present application is a continuation application of co-pending application 08/472,940. The specification has also been amended to provide the references to the Sequence Listing which were made in the parent application No. 08/472,940 by the Examiner's Amendment of February 9, 2001. No new matter enters by this amendment.

The presently pending claims are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. The Examiner is respectfully requested to contact Applicant's undersigned representative at 202.942.5071 to address any unresolved issues remaining in this application.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1824.

Respectfully submitted,

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Date: May 11, 2001

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Marked up versions

In the Specification:

On page 6:

Fig 5: cDNA (upper) **(SEQ ID NO: 1)** and deduced amino acid sequence (lower) **(SEQ ID NO:2)** of ACT-4-h-1. The Figure indicates the locations of an N-terminal signal sequence, two possible signal cleavage sites (vertical arrows), two glycosylation sites (gly), a transmembrane domain (TM), a stop codon and a poly-A signal sequence.

On page 30:

All hybridomas, triomas and other cell lines producing the antibodies and their fragments discussed, *supra*, are expressly included in the invention. These include the hybridoma line HBL106, deposited as ATCC **Accession No. ATCC HB 11483** [____], which produces the L106 mouse antibody.

On pages 42-43:

Mice were immunized with PHA-transformed T-lymphoblasts. Splenocytes from immunized mice were fused with SP2/O myeloma cells and hybridomas secreting antibodies specific for the T-cell clone were selected. The hybridomas were cloned by limiting dilution. A monoclonal antibody, designated L106, produced by one of the resulting hybridoma, was selected for further characterization. The L106 antibody was found to have an IgG1 isotype. A hybridoma producing the antibody, designated HBL106 has been deposited at the American Type Culture Collection**, now located at 10801 University Boulevard, Manassas, Virginia 20110-2209** [____], on **3 November 1993** [____], and assigned ATCC Accession No. **ATCC HB 11483**[____].

In the Claims:

26. (Amended) The antibody of claim **31** [25] that inhibits activation of $CD4^+$ T-cells.

27. (Amended) The monoclonal antibody of claim **31** [25] that stimulates activation of $CD4^+$ T-cells.

31. (Amended) [The] **A monoclonal** antibody [of claim 29] that is L106.